CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8



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John S. Nagy, Reg. No. 30,664

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

: 10/715,150

**Applicants** 

: Lilip Lau, Joshua Wallin

Filed

November 17, 2003

Art Unit Examiner

: Unassigned: Unassigned

Title

CARDIAC HARNESS DELIVERY DEVICE AND METHOD

Docket No.:

PARCR 67359

Customer No.

24201

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# **INFORMATION DISCLOSURE STATEMENT**

## Dear Sir:

The documents listed on the enclosed Form PTO/SB/08A have come to the attention of Applicants and are submitted to the Office under 37 C.F.R. § 1.97. A copy of each of the listed foreign documents and articles is enclosed.

Applicants believe that this Information Disclosure Statement has been filed before the mailing date of a first Office action on the merits in accordance with 37 C.F.R. § 1.97(b)(3) and therefore, no fee is due. However, if a fee is in fact due the

Commissioner is authorized to charge our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:

John & Nagy

Registration No. 30,664

JSN:jeb

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Customer No. 24201

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PTO/SB/08a (06-03)

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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C	omplete if Known
Application Number	10/715,150
Filing Date	November 17, 2003
First Named Inventor	Lilip Lau
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	PARCR 67359

U.S. PATENT DOCUMENTS Document Number Name of Patentee or Pages, Columns, Lines, Where Examiner Cite Publication Date Number Kind Code<sup>2</sup> Applicant of Cited Relevant Passages or Relevant Initials\* MM-DD-YYYY (if known) Document Figures Appear 2,826,193 03/11/58 Vineberg 3,464,322 09/02/69 Pequignot 3,513,836 05/26/70 Sausse 3,587,567 06/28/71 Schiff 3,613,672 10/19/71 Schiff 3,966,401 06/29/76 Hancock et al. 3,983,863 10/05/76 Janke et al. 3,988,782 11/02/76 Dardik et al. 4,011,947 03/15/77 Sawyer 4,048,990 09/20./77 Goetz 4,065,816 Sawyer 01/03/78 4,108,161 08/22/78 Samuels et al. 4,192,293 03/11/80 Asrican 4,211,325 07/08/80 Wright 4,261,342 04/14/81 Aranguren Duo 4,306,318 12/22/81 Mano et al. 4,372,293 02/08/83 Vijil-Rosales 4,403,604 09/13/83 Wilkinson et al. 4,428,375 01/31/84 Ellman 4,512,471 04/23/85 Kaster et al. 4,536,893 08/27/85 **Parravicini** 4,545,783 10/08/85 Vaughn

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Initials*	No	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>3</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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Signature	Considered	

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Inter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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Substitute	or torm	1449A/PTO	,			Application Nu	mber	10/715,150		
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT					ŀ	First Named In	ventor	Lilip Lau		
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Sheet 2	2 of 14					Attorney Docke	et Number	PARCR 67359		
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Initials*	No	Number		Kind Code <sup>2</sup>		Publication Date MM-DD-YYYY		cant of Cited	Relevant Passages or Rele	
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Initials*	No	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)		MM-DD-YYYY	of Cite	d Document	Passages or Relevant Figures Appear	
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Signature	Considered	

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO	Complete if Known			
Substitute for form 1449A/PTO	Application Number	10/715,150		
INFORMATION DISCLOSURE	Filing Date	November 17, 2003		
STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau		
STATEMENT BY APPLICANT	Art Unit	Unassigned		
(use as many sheets as necessary)	Examiner Name	Unassigned		
Sheet 3 of 14	Attorney Docket Number	PARCR 67359		

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Examiner Initials*	Cite No <sup>1</sup>	Number Docume	nt Number  Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	No	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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Sub-division for form 1440 4 mmo	Complete if Known		
Substitute for form 1449A/PTO	Application Number	10/715,150	
INFORMATION DISCLOSURE	Filing Date	November 17, 2003	
STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau	
STATEMENT BY APPLICANT	Art Unit	Unassigned	
(use as many sheets as necessary)	Examiner Name	Unassigned	
Sheet 4 of 14	Attorney Docket Number	PARCR 67359	

			U.S	. PATENT DOCUMEN	VTS	
Examiner Initials*	Cite No <sup>1</sup>	Number Docume	Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Initials*	No	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>3</sup> (if known)	MM-DD-YYYY		Applicant of Cited Document		Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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		PCT	WO 00/06026		02/10/00	Муосо	or, Inc.			
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Substitt	ite for te	orm 1449A/PTO			Application Number	10/715,150	
INFORMATION DISCLOSURE					Filing Date	November 17, 2003	
	STATEMENT BY APPLICANT				First Named Inventor	Lilip Lau	
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Sheet	5		of 14		Attorney Docket Number	PARCR 67359	

			U.S	. PATENT DOCUMEN	NTS	
Examiner Initials*	Cite No <sup>1</sup>	Number Docum	ent Number  Kind Code <sup>2</sup> (if known)	- Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Substitute for form 1449A/PTO	Complete if Known		
Substitute for form [449A/P]O	Application Number	10/715,150	
INFORMATION DISCLOSURE	Filing Date	November 17, 2003	
STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau	
STATEMENT DI APPLICANT	Art Unit	Unassigned	
(use as many sheets as necessary)	Examiner Name	Unassigned	
Sheet 6 of 14	Attorney Docket Number	PARCR 67359	

				PATENT DOCUMEN	NTS	
Examiner Initials*	Cite No <sup>1</sup>	Number	Ent Number  Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		6,015,378		01/18/00	Borst et al.	
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Examiner Initials*	Cite		Foreign Patent Docum	nent	Publication Date MM-DD-YYYY	Name of Patentee or	Pages, Columns, Lines				
	No	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>3</sup> (if known)		Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T			
		PCT	WO 00/62727		10/26/00	Hearten Medical					
		PCT	WO 00/74769		12/14/00	Johns Hopkins Univ.		<u> </u>			
		PCT	WO 01/17437		03/15/01	Cardiothoracic Systems		†			
- <u> </u>		PCT	WO 01/21098		03/29/01	Acom Cardiovascular	1	<del> </del>			
		PCT	WO 01/50981		07/19/01	Acom Cardiovascular		<del>                                     </del>			
		PCT	WO 01/67985		09/20/01	Paracor Surgical					
		PCT	WO 01/85061		11/15/01	Acom Cardiovascular	-	<del> </del>			
		PCT	WO 01/91667		12/06/01	Cardioclasp, Inc.	<del> </del>	<del>                                     </del>			
		PCT	WO 01/95830		12/20/01	Acorn Cardiovascular		<del>                                     </del>			

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Sub-views for form 14404 mmo	Complete if Known		
Substitute for form 1449A/PTO	Application Number 10/715,150		
INFORMATION DISCLOSURE	Filing Date	November 17, 2003	
STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau	
STATEMENT BY APPLICANT	Art Unit	Unassigned	
(use as many sheets as necessary)	Examiner Name	Unassigned	
Sheet 7 of 14	Attorney Docket Number	PARCR 67359	

			U.S	. PATENT DOCUMEN	VTS	
Examiner Initials*	Cite No <sup>1</sup>	Number Docum	ent Number  Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner	Cite	Foreign Patent Document			Publication Date	Name of Patentee or	Pages, Columns, Lines			
Initials*	No¹	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>		
		PCT	WO 01/95831		12/20/01	Acorn Cardiovascular				
		PCT	WO 01/95832		12/20/01	Acorn Cardiovascular				
		PCT	WO 02/13726		02/21/02	Acorn Cardiovascular				
		PCT	WO 02/19917		03/14/02	Converge Medical				
		PCT	WO 02/059007		08/01/02	SnapWare Corp.				
		PCT	WO 03/026483		04/03/03	The Foundry, Inc.				
		PCT	WO 03/026485		04/03/03	The Foundry, Inc.				
		PCT	WO 03/026484		04/03/03	The Foundry, Inc.				

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Substitute for form 1449A/PTO	Complete if Known		
Substitute for form (449A)PTO	Application Number	10/715,150	
INFORMATION DISCLOSURE	Filing Date	November 17, 2003	
STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau	
STATEMENT DI AFFLICANI	Art Unit	Unasigned	
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Sheet 8 of 14	Attorney Docket Number	PARCR 67359	

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Examiner Initials*	Cite No <sup>1</sup>	Number	nt Number  Kind Code <sup>2</sup> (if known)	- Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 14404 /DTO	Complete if Known			
Substitute for form 1449A/PTO	Application Number	10/715,150		
INFORMATION DISCLOSURE	Filing Date	November 17, 2003		
STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau		
STATEMENT DI AFFLICANT	Art Unit .	Unasigned		
(use as many sheets as necessary)	Examiner Name	Unassigned		
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Examiner Initials*	Cite No <sup>1</sup>	Number Document I	Number Kind Code <sup>2</sup> (if known)	- Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	(use as many she	eets as necessary)	Group Art Unit	Unassigned
	<u> </u>		Examiner Name	Unassigned
Sheet	10	of 14	Attorney Docket Number	PARCR 67359

		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449B/PTO	Complete if Known		
Substitute for form [449B/FTO	Application Number	10/715,150	
INFORMATION DISCLOSURE	Filing Date	November 17, 2003	
STATEMENT BY APPLICANT	First Named Inventor	Lilip Lau	
STATEMENT DI AFFLICANT	Group Art Unit	Unassigned	
(use as many sheets as necessary)	Examiner Name	Unassigned	
Sheet 11 of 14	Attorney Docket Number	PARCR 67359	

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	_
Examiner Initials*	Cite No <sup>1</sup> .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T,
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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Examiner Initials*	Cite No <sup>1</sup> .	magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published									
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Inter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO			Complete if Known		
Substitu	ute for form 144	59B/P1O	Application Number	10/715,150	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use as many sheets as necessary)			Filing Date	November 17, 2003	
			First Named Inventor	Lilip Lau	
			Group Art Unit	Unassigned	
			Examiner Name	Unassigned	
Sheet	13	of 14	Attorney Docket Number	PARCR 67359	

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	_
Examiner Initials*	Cite No <sup>1</sup> .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T,
		Application for U.S. Letters Patent Serial No. 09/634,043 filed August 8, 2000	
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Substitute for far 1440D/DTO	C	Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use as many sheets as necessary)	Application Number	10/715,150		
INFORMATION DISCLOSURE	Filing Date	November 17, 2003		
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STATEMENT DI AFFLICAN	Group Art Unit	Unassigned		
(use as many sheets as necessary)	Examiner Name	Unassigned		
Sheet 14 of 14	Attorney Docket Number	PARCR 67359		

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_		Application for U.S. Letters Patent Serial No. 10/777,451 filed February 12, 2004		
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		Application for U.S. Letters Patent Serial No. 10/705,574 filed March 5, 2004		
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